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December 19, 2008

**BY ELECTRONIC FILING AND FEDERAL EXPRESS**

Honorable Madeline Cox Arleo
Martin Luther King Jr. Federal Building
and United States Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: Coordinated Fexofenadine Litigation (JAG/MCA)
*Aventis v. Barr*, No. 01-3627
*Aventis v. Impax*, No. 02-1322
*Aventis v. Teva*, No. 03-487
*Aventis v. Mylan*, No. 03-1179
*Aventis v. Dr. Reddy's*, No. 03-1180
*Aventis v. Dr. Reddy's*, No. 03-5108
*Aventis v. Dr. Reddy's*, No. 03-5829
*Aventis v. Sandoz*, No. 04-222
*Aventis and AMR v. Barr and Ranbaxy*, No. 04-1064
*Aventis and AMR v. Dr. Reddy's*, No. 04-1075
*Aventis and AMR v. Impax and Ranbaxy*, No. 04-1076
*Aventis and AMR v. Mylan and Amino*, No. 04-1077
*Aventis and AMR v. Teva and Amino*, No. 04-1078
*Aventis v. Mylan*, No. 04-2305
*Aventis v. Dr. Reddy's*, No. 04-3194
*Aventis v. Sandoz*, No. 04-3944
*Aventis v. Mylan*, No. 05-4255
*Aventis v. Sandoz*, No. 06-1277
*Barr and Teva v. Aventis*, No. 06-5463
*Barr v. Aventis*, No. 06-5605
*Aventis v. Sandoz*, No. 07-2454
*Aventis v. Mylan*, No. 07-5054
*Aventis v. Teva*, No. 07-5076
*Aventis v. Dr. Reddy's*, No. 07-5180
*Aventis v. Sandoz*, No. 08-254

Dear Judge Arleo:

We, along with our co-counsel Arnold B. Calmann, Esq., Saiber LLC, represent defendant Mylan Pharmaceuticals Inc. in the above matter. We are writing to Your Honor collectively on behalf of Defendants Impax Laboratories ("Impax"), Dr. Reddy's Laboratories Ltd. and Dr. Reddy's Laboratories, Inc. ("Dr. Reddy's"), Sandoz Inc. ("Sandoz"), Amino Chemicals Ltd, DiPharma SPA, and DiPharma Francis Sr.l. ("Amino/Dipharma"), Ranbaxy Laboratories Ltd. and Ranbaxy Pharmaceuticals, Inc. ("Ranbaxy") (collectively with Mylan, the "Remaining Defendants"), seeking the Court's approval of a modest modification of the August 21, 2008 Scheduling Order in this matter, namely, a 60-day extension of expert discovery deadlines. Defendants Barr Laboratories, Inc. and Barr Pharmaceuticals, Inc. ("Barr") and Teva Pharmaceuticals USA, Inc. ("Teva") believe that the proposed modification to the schedule is appropriate, and therefore join in this letter. Plaintiffs do not oppose Defendants' request.

For the following reasons, Defendants believe that good cause exists for the requested modification. Counsel for Barr Laboratories has taken a lead role in the defense of this action with respect to working with numerous potential experts to respond to the plaintiffs' expert reports. This was primarily because Barr Laboratories was the first generic drug company to file an Abbreviated New Drug Application for 30mg, 60mg and 180 mg fexofenadine hydrochloride tablets and 12-Hour 60mg fexofenadine hydrochloride/120 mg pseudoephedrine combination tablets and, as a consequence, was entitled to certain market exclusivities in relation to the other generic drug company defendants. As the Court is aware, on November 24, 2008, counsel for Aventis, Liza Walsh submitted a letter advising the Court that Plaintiffs, Aventis Pharmaceuticals, Inc., Merrell Pharmaceuticals, Inc. and Carderm Capital, L.P. ("Aventis"), AMR Technology, Inc. and Albany Molecular Research Inc. (collectively "Plaintiffs") had executed settlement agreements with Defendants, Barr and Teva, subject to a review process by the Federal Trade Commission Bureau of Competition ("FTC") and the Assistant Attorney General ("DOJ"). The FTC and DOJ review process is apparently ongoing, as no stipulations of dismissal have been filed to date in any of the Coordinated Fexofenadine Litigations. Now that Barr and Teva (which entered a commercial relationship with Barr) have settled with the plaintiffs, the Remaining Defendants need additional time to prepare for and undertake the tasks for which Barr's counsel was, until recently, taking the lead role, including work in connection with expert reports in highly technical areas such as kinetic isotope effects and nuclear magnetic resonance. The Remaining Defendants therefore request a 60-day extension of the current expert discovery deadlines set forth in the Court's August 21, 2008 Scheduling Order ("Scheduling Order").

Counsel for Aventis has indicated that Plaintiffs do not oppose the Remaining Defendants' request for a 60-day extension of expert discovery deadlines. The proposed revised schedule, subject to the Court's approval, is set forth below.

| | Current Schedule | Proposed Revised Schedule |
|---|---|---|
| **Responsive Expert Reports** | January 5, 2009 | March 6, 2009 |
| **Rebuttal Expert Reports (limited to issues of secondary indicia)** | February 6, 2009 | April 7, 2009 |
| **Expert Discovery Shall be Completed** | April 8, 2009 | June 8, 2009 |

For Your Honor's convenience, we have enclosed a proposed form of Order amending the Scheduling Order. The proposed Order sets out the proposed amended dates for the events listed therein. We trust that the proposed Order meets with the Court's approval. If the proposed Order is acceptable to the Court, we would appreciate if Your Honor would execute the Order and have it filed with the Clerk of the Court.

We thank the Court for its continued assistance and understanding in the matter.

Respectfully submitted,

C. Nichole Gifford

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cc: All counsel in coordinated Fexofenadine cases